

ENTERED

August 05, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL NO. 2:16-CR-627-1
	§	
JOE ANGEL LAZO	§	

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL


Pending is Defendant Joe Angel Lazo's Motion to Revoke Order of Detention and Set Bond. (D.E. 19). The motion was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636. The motion is construed as a motion for reconsideration of the original order of detention. On today's date, a hearing was held at which the defendant, his attorney and counsel for the government appeared. The undersigned considered the motion, arguments of counsel, matters presented by the parties and applicable authority. Having considered these matters, and for the reasons set forth on the record and herein, the motion is **DENIED**.

Detention of the defendant is required because there is a serious risk that the defendant will not appear. The evidence meets the probable cause standard and the weight of the evidence is strong. The circumstances of the offense include defendant becoming belligerent and assaulting the Border Patrol agents at the time of his arrest. Further, the defendant has a history of noncompliance with court ordered supervision and currently has an active warrant for his arrest for non-compliance. The defendant is a poor candidate for bond. The findings and conclusions contained in the Pretrial Services

Report are adopted.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 4th day of August, 2016.


Jason B. Libby
United States Magistrate Judge